

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2020 DEC -1 AM 11:01

PAUL F. REIS,

Plaintiff,

v.

BELLOWS FALLS UNION HIGH SCHOOL,

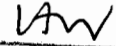
T.J. DONOVAN, Vermont Attorney General,

Defendants.

Case No. 2:20-cv-143

CLERK

BY

  
DEPUTY CLERK

**ORDER OF DISMISSAL**


A review of the docket in this case reveals the following:

1. On September 17, 2020, Plaintiff Paul F. Reis, representing himself, filed an application to proceed *in forma pauperis* to commence a suit against Defendants Bellows Falls Union High School and T.J. Donovan. (Doc. 1.)
2. On October 27, 2020, the court granted Plaintiff's application to proceed in forma pauperis and dismissed his Complaint under 28 U.S.C. § 1915 (e)(2)(B) and Fed. R. Civ. P. 12(b)(6). (Doc. 2.) Plaintiff was granted leave to file an Amended Complaint no later than November 20, 2020.
3. No further filings have been received as of the date of this Order.

The Federal Rules of Civil Procedure authorize dismissal of an action when “the plaintiff fails to prosecute or to comply with these rules or a court order[.]” Fed. R. Civ. P. 41(b). Although Rule 41(b) does not define “failure to prosecute,” the Second Circuit has held that “[i]t can evidence itself either in an action lying dormant with no significant activity to move it or in a pattern of dilatory tactics.” *Lyell Theatre Corp. v. Loews Corp.*, 682 F.2d 37, 42 (2d Cir. 1982).

Because Plaintiff has not filed an Amended Complaint, this case is hereby  
DISMISSED WITHOUT PREJUDICE for failure to prosecute.  
SO ORDERED.

Dated at Burlington, in the District of Vermont, this 1<sup>st</sup> day of December, 2020.

  
Christina Reiss, District Judge  
United States District Court